

EFFECTIVE DATE OF 1977 AMENDMENT

Section 3 of Pub. L. 95-57 provided that: "The amendments made by this Act [amending this section and section 308a of this title] shall become effective on July 1, 1977."

EFFECTIVE DATE OF 1974 AMENDMENT

Section 4 of Pub. L. 93-277 provided that: "The amendments made by this Act [amending this section and section 308a of this title and enacting provisions set out below] become effective on the first day of the month following the date of enactment [May 10, 1974]."

EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-623 intended to restate without substantive change the law in effect on Oct. 22, 1968, see section 6 of Pub. L. 90-623, set out as a note under section 5334 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1965 AMENDMENT

Amendment by Pub. L. 89-132 effective Sept. 1, 1965, see section 10 of Pub. L. 89-132, set out as a note under section 203 of this title.

COVERAGE OF PERIOD OF LAPSED AUTHORITY

For provisions relating to coverage of period of lapsed authority from Oct. 1, 1992, to Oct. 23, 1992, for payment of bonuses or other special pay under this section, see section 612(j)(2) of Pub. L. 102-484, set out as a note under section 301b of this title.

Section 626(c) of Pub. L. 100-180 provided that:

"(1) The Secretary concerned, in the case of any person who during the period beginning on October 1, 1987, and ending on the date of the enactment of this Act [Dec. 4, 1987] would have qualified for an agreement with the Secretary described in paragraph (2) but for the fact that the authority for the payment of bonuses provided by that section had lapsed, shall pay to that person a bonus under the terms of the appropriate section specified in that paragraph (and related regulations) as in effect on September 30, 1987.

"(2) An agreement referred to in paragraph (1) is an agreement with the Secretary for the payment of a bonus under section 308, 308a, 308b, 308c, 308e, 308f, 308g, 308h, or 308i of title 37, United States Code."

COST REDUCTIONS FOR FISCAL YEAR 1987; SELECTIVE
REIMBURSEMENT BONUS

Pub. L. 99-661, div. A, title VI, §663(a), Nov. 14, 1986, 100 Stat. 3894, provided that: "During fiscal year 1987, the Secretary concerned may not pay more than 50 percent of an amount paid to any person under section 308 of title 37, United States Code, in a lump sum."

OPTIONAL CHOICE OF REENLISTMENT BONUS

Section 3 of Pub. L. 93-277 provided that: "Notwithstanding section 308 of title 37, United States Code, as amended by this Act, a member of a uniformed service on active duty on the effective date of this Act, who would have been eligible, at the end of his current or subsequent enlistment, for the reenlistment bonus prescribed in section 308(a) or (d) of that title, as it existed on the day before the effective date of this Act, shall continue to be eligible for the reenlistment bonus under that section as it existed on the day before the effective date of this act. If a member is also eligible for the reenlistment bonus prescribed in that section as amended by this Act, he may elect to receive either one of those reenlistment bonuses. However, a member's eligibility under section 308(a) or (d) of that title, as it existed on the day before the effective date of this Act, terminates when he has received a total of \$2,000 in reenlistment bonus payments, received under either section 308(a) or (d) of that title as it existed on the day before the effective date of this Act, or under section 308 of that title, as amended by this Act, or from a combination of both."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 312a of this title.

§ 308a. Special pay: enlistment bonus

(a) Notwithstanding section 514(a) of title 10 or any other law, under regulations prescribed by the Secretary of Defense, or by the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, a person who enlists in an armed force for a period of at least four years in a skill designated as critical, or who extends his initial period of active duty in that armed force to a total of at least four years in a skill designated as critical, may be paid a bonus in an amount prescribed by the appropriate Secretary, but not more than \$12,000. The bonus shall be paid in periodic installments, as determined by the appropriate Secretary, except that the first installment may not exceed \$7,000 and the remainder shall be paid in equal periodic installments which may not be paid less frequently than once every 3 months.

(b) Under regulations prescribed by the Secretary of Defense, or by the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, a person who voluntarily, or because of his misconduct, does not complete the term of enlistment for which a bonus was paid to him under this section or a member who is not technically qualified in the skill for which a bonus was paid to him under this section (other than a person who is not qualified because of injury, illness, or other impairment not the result of his own misconduct) shall refund that percentage of the bonus that the unexpired part of his enlistment is of the total enlistment period for which the bonus was paid.

(c) No bonus shall be paid under this section with respect to any enlistment or extension of an initial period of active duty in the armed forces made after September 30, 1998.

(Added Pub. L. 92-129, title II, §203(a), Sept. 28, 1971, 85 Stat. 358; amended Pub. L. 93-64, title II, §204, July 9, 1973, 87 Stat. 149; Pub. L. 93-277, §2(2), May 10, 1974, 88 Stat. 120; Pub. L. 95-57, §2, June 29, 1977, 91 Stat. 253; Pub. L. 95-485, title VIII, §802(b), Oct. 20, 1978, 92 Stat. 1619; Pub. L. 96-342, title VIII, §804(b), Sept. 8, 1980, 94 Stat. 1092; Pub. L. 97-60, title I, §117(b), Oct. 14, 1981, 95 Stat. 996; Pub. L. 97-276, title I, §131, Oct. 2, 1982, 96 Stat. 1197; Pub. L. 97-377, title I, §101(c)[title VII, §798], Dec. 21, 1982, 96 Stat. 1833, 1865; Pub. L. 98-14, §1, Mar. 30, 1983, 97 Stat. 55; Pub. L. 98-525, title VI, §621(a), Oct. 19, 1984, 98 Stat. 2540; Pub. L. 100-180, div. A, title VI, §626(a), Dec. 4, 1987, 101 Stat. 1104; Pub. L. 101-189, div. A, title VI, §612(a), Nov. 29, 1989, 103 Stat. 1445; Pub. L. 102-484, div. A, title VI, §612(b), Oct. 23, 1992, 106 Stat. 2421; Pub. L. 103-160, div. A, title VI, §613(c), Nov. 30, 1993, 107 Stat. 1681; Pub. L. 103-337, div. A, title VI, §613(c), Oct. 5, 1994, 108 Stat. 2783; Pub. L. 104-106, div. A, title VI, §613(c), Feb. 10, 1996, 110 Stat. 359; Pub. L. 104-201, div. A, title VI, §613(c), Sept. 23, 1996, 110 Stat. 2544.)

AMENDMENTS

1996—Subsec. (c). Pub. L. 104-201 substituted “September 30, 1998” for “September 30, 1997”.

Pub. L. 104-106 substituted “September 30, 1997” for “September 30, 1996”.

1994—Subsec. (c). Pub. L. 103-337 substituted “September 30, 1996” for “September 30, 1995”.

1993—Subsec. (c). Pub. L. 103-160 substituted “September 30, 1995” for “September 30, 1993”.

1992—Subsec. (c). Pub. L. 102-484 substituted “September 30, 1993” for “September 30, 1992”.

1989—Subsec. (a). Pub. L. 101-189 substituted “\$12,000” for “\$8,000” and “\$7,000” for “\$5,000”.

1987—Subsec. (c). Pub. L. 100-180 substituted “September 30, 1992” for “September 30, 1987”.

1984—Subsec. (c). Pub. L. 98-525 substituted “September 30, 1987” for “September 30, 1984”.

1983—Subsec. (c). Pub. L. 98-14 substituted “September 30, 1984” for “March 31, 1983”.

1982—Subsec. (c). Pub. L. 97-377 substituted “March 31, 1983” for “December 17, 1982”.

Pub. L. 97-276 substituted “December 17, 1982” for “September 30, 1982”. Notwithstanding directory language that amendment be made to section 308a(c) of “title 35, United States Code”, amendment was executed to this section as the probable intent of Congress.

1981—Subsec. (a). Pub. L. 97-60 substituted “\$8,000” for “\$5,000” as allowable maximum bonus and inserted provisions that first installment of bonus may not exceed \$5,000 and that remainder be paid in equal periodic installments which may not be paid less frequently than once every 3 months.

1980—Subsec. (a). Pub. L. 96-342, § 804(b)(1), substituted “\$5,000” for “\$3,000”.

Subsec. (c). Pub. L. 96-342, § 804(b)(2), substituted “September 30, 1982” for “September 30, 1980”.

1978—Subsec. (c). Pub. L. 95-485 substituted “September 30, 1980” for “September 30, 1978”.

1977—Subsec. (b). Pub. L. 95-57, § 2(a), substituted “or a member who is not technically qualified in the skill for which a bonus was paid to him under this section (other than a person who is not qualified because of injury, illness, or other impairment not the result of his own misconduct) shall refund that percentage of the bonus that the unexpired part of his enlistment is of the total enlistment period for which the bonus was paid” for “shall refund that percentage of the bonus that the unexpired part of his enlistment is of the total enlistment period for which the bonus was paid”.

Subsec. (c). Pub. L. 95-57, § 2(b), substituted “September 30, 1978” for “June 30, 1977”.

1974—Subsec. (a). Pub. L. 93-277 substituted provisions authorizing payment of enlistment bonus according to regulations to be issued, to persons enlisting in an armed force for at least four years in a skill designated as critical, and to those extending their initial period of active duty in the armed force to a total of at least four years in a skill designated as critical, for provisions authorizing payment of enlistment bonus to persons enlisting in the career field of Infantry, Field Artillery, or Tank and Amphibian Tractor in the Marine Corps for at least three years and to those extending their initial period of active duty in such a career field to a total of at least three years.

Subsec. (b). Pub. L. 93-277 substituted “Secretary of Defense, or by the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy,” for “Secretary of Defense”.

Subsec. (c). Pub. L. 93-277 substituted “June 30, 1977” for “June 30, 1974”.

1973—Subsec. (a). Pub. L. 93-64, § 204(1), substituted in first sentence “the career field of Infantry, Armor, or Field Artillery Cannon in the Army, or the career field of Infantry, Field Artillery, or Tank and Amphibian Tractor in the Marine Corps”, for “any combat element of an armed force” and “such a career field” for “a combat element of an armed force”.

Subsec. (c). Pub. L. 93-64, § 204(2), substituted “June 30, 1974” for “June 30, 1973”.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-160 effective as of Sept. 30, 1993, and applicable with respect to an enlistment, reenlistment, or extension of an enlistment described in this section or section 308 of this title occurring on or after that date, see section 613(h)(1) of Pub. L. 103-160, set out as a note under section 308 of this title.

EFFECTIVE DATE OF 1989 AMENDMENT

Section 612(c) of Pub. L. 101-189 provided that: “The amendments made by subsection (a) [amending this section] shall apply with respect to an enlistment or extension of an initial period of active duty (in a skill designated as critical) entered into on or after October 1, 1989.”

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-60 applicable to enlistments and reenlistments after Oct. 14, 1981, see section 117(d) of Pub. L. 97-60, set out as a note under section 308 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-342 applicable to enlistments, reenlistments, and extensions of enlistments made after Sept. 30, 1980, see section 804(c) of Pub. L. 96-342, set out as a note under section 308 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-57 effective July 1, 1977, see section 3 of Pub. L. 95-57, set out as a note under section 308 of this title.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-277 effective June 1, 1974, see section 4 of Pub. L. 93-277, set out as a note under section 308 of this title.

EFFECTIVE DATE OF 1973 AMENDMENT

Amendment by Pub. L. 93-64 effective July 1, 1973, see section 206 of Pub. L. 93-64, set out as a note under section 401 of this title.

EFFECTIVE DATE

Section effective on a date to be prescribed by Secretary of Defense, but not earlier than Feb. 1, 1971, see section 209 of Pub. L. 92-129, set out as a note under section 302a of this title.

COVERAGE OF PERIOD OF LAPSED AUTHORITY

For provisions relating to coverage of period of lapsed authority from Oct. 1, 1992, to Oct. 23, 1992, for payment of bonuses or other special pay under this section, see section 612(j)(2) of Pub. L. 102-484, set out as a note under section 301b of this title.

LIMITATION ON PAYMENTS

Section 612(b) of Pub. L. 101-189 provided that: “The total amount of payments made during fiscal year 1990 under section 308a(a) of title 37, United States Code, by the Secretary of the Army may not exceed \$66,400,000.”

PAY CONTINUATION

Enactment of this section not to reduce pay to which any member of uniformed services was entitled on June 30, 1971, see section 210 of Pub. L. 92-129, set out as a note under section 203 of this title.

§ 308b. Special pay: reenlistment bonus for members of the Selected Reserve

(a) An enlisted member of a reserve component who—

(1) has completed less than ten years of total military service; and